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UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

ROBERT SHANKLIN, individually, and on
behalf of a class of others similarly situated,

Plaintiff,

v.

SLEEP COUNTRY USA, Inc.,

Defendant.

NO. 3:10-CV-00406-MO

**STIPULATION AND PROPOSED ORDER
TO DISMISS WITH PREJUDICE**

[Clerk's Action Required]

STIPULATION AND PROPOSED ORDER TO DISMISS WITH PREJUDICE

STIPULATION

Plaintiffs and Defendant respectfully move this Court for an order dismissing this matter, with prejudice, and without an award of costs or fees to either party.

Dated this 2nd day of August, 2013.

HEYRICH KALISH McGUIGAN PLLC

/s/ Daniel Kalish

By: Daniel Kalish (admitted pro hac vice)
Attorneys for Representative Plaintiff and
proposed Plaintiff Class

Fox, Wang & Morgan P.C

s/s Jay Wang

By: Jay J. Wang (admitted *pro hac vice*)
Attorneys for Defendant Sleep Country
USA, Inc.,

[PROPOSED] ORDER

Plaintiffs and Defendant respectfully move this Court for an order dismissing this matter, with prejudice, and without an award of costs or fees to either party. This stipulation is hereby GRANTED. This action is DISMISSED with prejudice, and without an award of fees or costs to either party.

Dated this 13 day of August, 2013

/s/Michael W. Mosman

The Honorable Michael W. Mosman